

## Article - Education

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§5–310.

(a) (1) In this section the following words have the meanings indicated.

(2) “Educational facilities sufficiency standards” means a uniform set of criteria and measures for evaluating the physical attributes and educational suitability of public elementary and secondary school facilities in the State.

(3) “Facility condition index” means a calculation to determine the relative physical condition of public school facilities by dividing the total repair cost of a facility by the total replacement cost of a facility.

(b) (1) Each fiscal year, the Interagency Commission shall survey the condition of school buildings identified by the Department.

(2) The Interagency Commission shall conduct the inspections of individual school buildings that are necessary to complete the survey required in paragraph (1) of this subsection.

(3) The Interagency Commission shall report to the Governor and the General Assembly, on or before October 1 of each year, in accordance with § 2–1257 of the State Government Article, on the results of the survey for the prior fiscal year.

(c) On or before July 1, 2018, in consultation with local education agencies, the Interagency Commission on School Construction shall adopt educational facilities sufficiency standards and a facility condition index for Maryland public schools.

(d) (1) The purpose of the educational facilities sufficiency standards is to establish uniform standards for the assessment of the physical attributes, capacity, and educational suitability of public school facilities in Maryland.

(2) The standards shall include at least the following categories:

(i) Building condition related to life safety and health;

(ii) Building systems;

(iii) Building capacity and utilization, including the ability to house students in permanent space;

- (iv) Academic space, including specialty classroom space; and
- (v) Physical education and outdoor recreational space.

(3) The Interagency Commission shall periodically review and update the educational facilities sufficiency standards.

(e) (1) On or before July 1, 2019, the Interagency Commission shall complete an initial statewide facilities assessment using the educational facilities sufficiency standards adopted under subsections (c) and (d) of this section.

(2) In completing the assessment the Interagency Commission shall:

(i) Incorporate the facility condition index adopted under subsection (c) of this section;

(ii) Contract with an independent third-party vendor to conduct data collection and assessment;

(iii) Utilize, to the extent possible, existing data sources, including the Educational Facilities Master Plan and the Maryland Association of Boards of Education; and

(iv) Coordinate with local education agencies to identify data elements to be used in the facility assessment.

(f) (1) Following the completion of the initial statewide facilities assessment, the Interagency Commission shall develop standards and procedures to comprehensively update the facilities assessment such that facility assessment data is not older than 4 years.

(2) Local education agencies shall:

(i) Cooperate with the Interagency Commission to update the facility assessment; and

(ii) Contribute data as requested to update the assessment.

(3) (i) The Interagency Commission shall enter the facility assessment data into an integrated data system, which shall be known as the Integrated Master Facility Asset Library.

(ii) The Interagency Commission shall manage the Integrated Master Facility Asset Library and shall provide access to the Library for all local education agencies using a cloud-based system.

(g) (1) After completion of the initial facility assessment, the Interagency Commission shall share the data results with the Workgroup on the Assessment and Funding of School Facilities and, with the Workgroup, shall consider:

(i) How the relative condition of public school facilities within the educational facilities sufficiency standards and the facility condition index should be prioritized, taking into account local priorities and in consultation with local jurisdictions; and

(ii) If determined to be appropriate, use of the assessment results in funding decisions.

(2) Based on the recommendations of the Workgroup on the Assessment and Funding of School Facilities, and not before May 1, 2020, for use in funding decisions beginning no sooner than fiscal year 2021, the Interagency Commission shall adopt regulations establishing the use of the facility assessment results in annual school construction funding decisions.

(h) (1) Except as provided in § 5-314(e) of this subtitle, each county board shall develop and adopt preventative maintenance schedules based on industry standards for the public school facilities within the jurisdiction of the county board.

(2) On or before July 1 each year, each county board shall report to the Interagency Commission on the board's compliance with the preventative maintenance schedules adopted under this subsection.

(3) The information reported in accordance with paragraph (2) of this subsection shall be entered into the Integrated Master Facility Asset Library.

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